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October 7, 2021

By ECF

Honorable Miroslav Lovric
United States Magistrate Judge
United States District Court Northern District of New York
15 Henry Street Binghamton, New York 13901

Re: *Dr. A., et al., v. Hochul, et al., 21-CV-1009 (DNH)(ML)*

Dear Judge Lovric:

I have just learned that at 2:41 PM today, the Supreme Court denied plaintiffs' application for emergency injunctive relief, with a 14-page dissent by Justice Gorsuch. (Justices Thomas, Alito and Gorsuch would have granted the injunction.)

Plaintiffs' petition for en banc review in the Second Circuit, however, remains pending. That being the case, the adjournment of deadlines the court has just granted based on the submission by defense counsel remains appropriate. By the new deadline of January 17, 2022 for submission of a status report, the parties should have received a decision on the en banc petition which would inform the parties and the court as to further proceedings.

Sincerely,

s/Michael G. McHale

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"Injustice anywhere is a threat to justice everywhere." - Dr. Martin Luther King